

<b>REFERENCE NO:</b> 21/503799/FULL		
<b>APPLICATION PROPOSAL:</b> Erection of 2(no) light industrial units (Use Class E(g)(ii) and E(g)(iii)) and associated works.		
<b>ADDRESS:</b> Corbin Business Park Caring Lane Bearsted Kent ME14 4NJ		
<b>RECOMMENDATION:</b> GRANT PLANNING PERMISSION subject to planning conditions		
<b>SUMMARY OF REASONS FOR RECOMMENDATION:</b> The proposal is acceptable with regard to the relevant provisions of the Development Plan, the NPPF and all other material considerations such as are relevant.		
<b>REASON FOR REFERRAL TO COMMITTEE:</b> Thurnham Parish Council has requested application is considered by Planning Committee if officers are minded to approve application. This request is made for reasons outlined in consultation section below.		
<b>WARD:</b> Detling & Thurnham	<b>PARISH COUNCIL:</b> Thurnham	<b>APPLICANT</b> Rapid Associates Commercial Ltd <b>AGENT</b> DHA Planning
<b>TARGET DECISION DATE:</b> 27/09/21		<b>PUBLICITY EXPIRY DATE:</b> 13/08/21

### RELEVANT PLANNING HISTORY

- 21/501302 - Erection of 2 units [Use Class E(g)(ii) & E(g)(iii)] – Refused:  
*Application has failed to demonstrate through a Tree Survey, Arboricultural Impact Assessment and Arboricultural Method Statement that proposal would not adversely harm longevity and amenity value of trees found close to southern and western boundaries of application site. Potential loss of these trees (either immediately or through long term decline in health as a result of new buildings and associated works) would have adverse impact on character and appearance of countryside hereabouts that falls within Len Valley Landscape of Local Value; and by virtue of proposal's scale, and layout with buildings on, or in close proximity to site boundary, there is inadequate room to provide meaningful and appropriate landscaping within site to mitigate against potential loss of these trees and to provide onsite landscape screening of proposed buildings. Proposal would be contrary to policies SP17, DM1, DM3, DM30, and DM37 of Local Plan (2017), advice in BS5837:2012; and NPPF (2019).*
- 17/506430 – Change of use of land & erection of vehicle preparation building (21.6m by 7.2m; and with pitched roof some 4.2m in height) - Approved
- MA/12/0886 – Change of use of land to car park – Approved
- MA/10/0140 - 2 storey rear extension to office building – Approved
- MA/07/1361 – Advert consent – Approved
- MA/07/0176 – (Retro) replacement building for B1 use - Approved
- MA/05/2133 - Change of use of barn from B8 use to B1 use - Approved
- MA/05/0324 - Lawful Development Certificate for existing development being use of site for storage within Use Class B8 - Approved

### MAIN REPORT

#### 1.0 SITE DESCRIPTION

- 1.1 Corbin Business Park is located on the western side of Caring Lane, some 540m to the south of the A20. The site is also some 2km from junction 8 of the M20, with the village of Bearsted some 2.5km to the north-west. G-Forces, who delivers automotive ecommerce solutions through their Net Director software platform and intelligent digital infrastructures, moved to Corbin Business Park in 2007. This company has won numerous awards in recent years, demonstrating that they are one of Britain's fastest growing international sales centres; and they consider themselves to be a key local employer in the Borough.

- 1.2 The application site specifically relates to a parcel of land to the south-west of the business park, behind an existing parking area. The site is currently a well-maintained area of grass lawn with existing trees/planting along the eastern, southern and western boundaries. The land originally formed part of the residential curtilage for 23 Caring Lane, but when developing the car park adjacent to the application site, this parcel of land became detached from the curtilage of this property.
- 1.3 The site is bounded by Caring Lane and 23 Caring Lane to the east; by fields to the south; there is a golf course to the west; and to the north is a wooded area. A public footpath (KH139) runs along the northern boundary of the business park, before heading off in a northern direction away from the application site. For the purposes of the Local Plan the site is within the countryside that falls within the Len Valley Landscape of Local Value; the site is within a minerals safeguarding area and within an Area of Archaeological Potential.

## **2.0 PROPOSAL**

- 2.1 The proposal is for the erection of two light industrial units with associated works including hardstanding and parking area; and the submission stipulates that the units would fall under Use Class E(g)(ii) and E(g)(iii). These uses are defined as being for:

*(ii) the research and development of products or processes, or  
(iii) any industrial process,*

*being a use, which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.*

- 2.2 Each unit would provide some 120m<sup>2</sup> in floor space; the external footprint of the proposal would be some 22m by 12m (264m<sup>2</sup>); the pair of semi-detached units would have a mono-pitched roof that at its highest point would stand some 7.2m in height. At their lowest point, the units would stand some 5.8m. In terms of external materials, the elevations would be a combination of insulated profile steel cladding (Kingspan Goose Grey) and glazing, similar to the appearance of the existing building on the site. The proposal would make use of the existing access to the business park from Caring Lane; and bicycle stands for 8 bikes would be provided. In terms of car parking, eight of the existing parking spaces on the site would be removed and replaced with 10 new parking spaces.
- 2.3 The submission states that the proposal would provide ideal start up units, providing additional and flexible employment floorspace which will contribute to the economic vitality of the Borough. The application is also supported by a letter from Watson Day local commercial agents that states there is a need and demand for units like this (below 1,500ft<sup>2</sup>) to be on the market.
- 2.4 In 2018, planning permission was granted for a vehicle preparation building (under 17/506430) on the same parcel of land that is now the subject of this application. This permission has not been implemented and is no longer extant.

## **3.0 POLICY AND OTHER CONSIDERATIONS**

- 2017 Local Plan: SS1, SP17, SP21, SP22, DM1, DM2, DM3, DM8, DM23, DM30, DM37
- National Planning Policy Framework (2021) & National Planning Practice Guidance
- Landscape Character Assessment (2012 amended 2013)
- Landscape Capacity Study: Sensitivity Assessment (Jan 2015)
- Kent Minerals & Waste Local Plan (2013-30) amended by Early Partial Review (2020)
- BS5837:2012 'Trees in relation to construction - Recommendations'

## 4.0 REPRESENTATIONS

4.1 **Local Residents:** 2 representations received raising following (summarised) issues:

- *Highway safety/traffic generation*
- *will set precedent for future development*
- *overdevelopment of site (expanding site from one business).*
- *Impact of proposed use which is unknown*
- *Woodcut Farm already provides ample opportunity for new industrial units and warehousing impact upon character and appearance of area; and residential amenity*

## 5.0 CONSULTATION RESPONSES

(Please note summaries of consultation responses are set out below with responses discussed in more detail in main report where considered necessary)

5.1 **Thurnham Parish Council:** Wish to see application refused and reported to Planning Committee if minded to recommend approval for the following reasons:

- *Proposal is in countryside and industrial estate is on rural lane.*
- *Proposal amount to further inappropriate expansion of industrial units in rural location.*
- *Previous justification for expansion on site was to assist existing business. This is not related.*
- *Development of Woodcut Farm meets criterion made by applicant in their Planning Statement of proximity to junction 8 of M20. We feel this would be more suitable location for development.*

5.2 **Landscape Officer:** Raises no objection to application.

5.3 **KCC Highways:** Raises no objection to application.

5.4 **KCC Minerals Safeguarding:** Confirms KCC has no minerals or waste safeguarding objections or further comments to make regarding this proposal.

5.5 **KCC Archaeological Officer:** No representations received.

## 6.0 APPRAISAL

### Main issues

#### Maidstone Local Plan

6.1 The development is subject to the normal constraints of development in the countryside as designated under the Maidstone Local Plan. Indeed, Local Plan policies will not permit new development in the countryside unless (inter alia) it accords with other policies in the Local Plan; it is of a high quality design; it will not result in harm to the character and appearance of the area, but instead maintain, or where possible, enhance the local distinctiveness of an area; it will respect the amenities of occupiers of neighbouring properties; and it will be safe in highway safety terms. The distinctive landscape character of the Len Valley of Landscapes of Local Value should also be conserved and enhanced; and in accordance with Local Plan policy DM2, proposals for new non-domestic buildings should achieve BREEAM Very Good for energy credits where technically and financially viable.

6.2 Local Plan policy SS1 seeks to support small scale employment opportunities at appropriate locations to support the rural economy. As an exception to the general themes of constraint for new development in the countryside, the Local Plan is committed to supporting and improving the economy of the borough and providing for the needs of businesses, and there is policy support for appropriate expansions of existing businesses in the rural area provided the scale and impact of the development is appropriate for its countryside location, in accordance with policy DM37.

Landscape Character Assessment

- 6.3 The Maidstone Landscape Character Assessment (2012 amended 2013) identifies the application site as falling within the Langley Heath Undulating Farmlands (Milgate Park) Landscape Character Area (Area 30-6). The landscape guidelines for both areas are to 'IMPROVE'. Within the Council's Landscape Capacity Study: Sensitivity Assessment (Jan 2015), the overall landscape sensitivity of the Orchards and Mixed Farmlands (Langley Heath Undulating Farmlands) Landscape Character Area is *HIGH*.

Revised NPPF (July 2021)

- 6.4 The NPPF is clear that good design is a key aspect of sustainable development and that permission should be refused for development that is not well designed; and section 12 of the NPPF refers to achieving well-designed places. Paragraph 174 of the NPPF also states that planning decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside; and to achieve well-designed places the NPPF also makes it clear that (para 126):

*The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this.*

- 6.5 Notwithstanding this, the NPPF seeks to support the rural economy and planning decisions should enable (inter alia): *the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings (para 84).*

- 6.6 Furthermore, paragraph 85 of the revised NPPF states:

*Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.*

Summary

- 6.7 Notwithstanding development at Woodcut Farm, there is policy support for small scale (windfall) employment opportunities in the rural area subject to certain criteria; and whilst the site is not wholly sustainable in terms of its location, the proposal is on an existing business park and it is not considered to be of such a scale that it would undermine sustainable economic development in the borough, as set out in the hierarchy identified in Local Plan policy SS1. The details of the submission will now be assessed.

**Visual impact**

- 6.8 The application site is set back more than 90m from Caring Lane; and is set away more than 50m from the public footpath to the north of the wider site. Any views from these public vantage points would be largely screened by existing buildings and mature planting (discussed further below). The building would also be grouped with existing buildings and read in the context of the existing business park (including in terms of its external appearance); its height would be lower than the existing buildings on the site; and the loss of this relatively small grassed area, that has little landscape amenity value, is not considered to be objectionable.

- 6.9 This submission now also demonstrates that whilst it is set close to the western boundary of the site; the proposal building would be set away from the southern boundary, with new planting to the rear of the building to provide a soft buffer that also helps to retain an open, landscaped area.
- 6.10 Under the previous planning refusal on the site (21/501302), no arboricultural information had been submitted to demonstrate that the proposal would not adversely harm the longevity and amenity value of these trees. As part of this application, an Arboricultural Implications Assessment has now been submitted for consideration, and this shows that the surrounding trees are either BS Category C or U, with a group of trees [T1-T13] having a group value of B that re to be retained. The submitted plans also show the planting of five trees close to the south-western corner of the application site (to include Field maple; Hazel; Wild cherry and Hawthorn). The summary of this report states:
- 17.1 Proposal will require the removal of one short section of young Cypress screen and some small hedges/shrubs. These are of no planning significance and cannot represent a constraint. Two dying Ash trees are recommended for removal on safety grounds whether or not the proposals go ahead.*
- 17.2 Proposal and parking do not impact on any retained tree RPAs and there are no grounds for refusal on arboricultural matters. Only light pruning back of outer canopies of overhanging offsite trees is proposed, in line with normal maintenance practices.*
- 17.3 Robust tree protection fencing is proposed to ensure retained trees are not adversely affected by proposal.*
- 17.4 Overall, arboricultural impact is minimal and there are no grounds for arb refusal.*
- 6.11 The Council's Landscape Officer has reviewed the submission and has raised no objections in arboricultural terms, subject to the proposal adhering to the submitted arboricultural report by way of a condition if the application were to be approved. The application has demonstrated that the proposal would retain a number of the existing healthy trees and would provide new boundary planting to help mitigate against the necessary loss of some trees. The development will be conditioned to be carried out in accordance with the submitted arboricultural report (including tree protection details); and details of a landscaping scheme will be requested. On this basis, the proposal would be adequately screened from public view.
- 6.12 To further safeguard the character and appearance of the countryside hereabouts, appropriate conditions will be imposed requesting details of external building and hardsurfacing materials, lighting, and restricting the open storage of materials.
- 6.13 With everything considered, it is therefore considered that the proposal can be satisfactorily integrated into the local landscape, and so it is concluded that the proposal would not cause unacceptable harm to the character and appearance of the countryside hereabouts that falls within a Landscape of Local Value.

### **Highway safety**

- 6.14 Paragraph 111 of the NPPF states: *Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*
- 6.15 The existing access will not be affected by the proposal; the business park would continue to provide adequate onsite parking/turning; the proposal is unlikely to generate any significant increase in vehicular trip rates; and in the context of existing levels of traffic on the local network, there is unlikely to be a significant impact in terms of congestion and highway capacity. Given the size of units proposed the KCC Highways Officer has considered the proposal and the effect on the highway network, and raises no objection on behalf of the local highway authority.

- 6.16 Furthermore, in accordance with Local Plan policy, in the interests of sustainability and as recommended by the Highways Officer, suitable conditions will be imposed to secure the permanent retention of the parking spaces and the provision of electric vehicle charging points for low-emission plug-in vehicles within the application site (10% of spaces should be ready for Electric Vehicle Charging with a further 10% passive supply); and a condition has been added to request details of secure and covered cycle parking facilities for a minimum of eight bicycles.
- 6.17 The Highways Officer has also recommended the submission of a Construction Management Plan before the commencement of any development on the site. In this instance and in line with paragraphs 55-57 of the revised NPPF, given the scale of the proposal; the site's separation from any residential property; and the fact that the business estate has onsite space for construction vehicles to park and turn, it is not considered that such a condition meets the tests of when conditions are necessary.
- 6.18 On this basis, the residual cumulative impacts of the proposal on the road network would not be severe, and no objection is raised to the proposal in highway safety terms.

### **Residential amenity**

- 6.19 There are residential properties in the vicinity of the proposal site, the nearest being 23 Caring Lane. The proposal buildings would be more than 30m from the rear boundary of 23 Caring Lane; and more than 65m from the property itself. No other residential property would be within 60m of the proposal site, with existing well-established planting and existing buildings largely found in between.
- 6.20 The application specifically states that the proposed use of the two units would fall under Class E(g)(ii) and E(g)(iii), as set out above. The Use Class Order legislation clearly stipulates that such uses can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit. Whilst it is not known who the future occupants of the units would be, occupants would have to fit in with the uses as defined in the legislation.
- 6.21 The proposal would be part of an existing business park; it would make use of the existing vehicle access; and the additional traffic generated by the proposal is not expected to be significantly greater than the current situation. On this basis, it is not considered that the expected comings and goings from the site would not be unacceptable in terms of general noise and disturbance. Furthermore, given the separation distances between any residential property and the proposal, there are no objections raised in terms of loss of privacy, light, and outlook.
- 6.22 In summary, given the scale and location of the proposal and its separation distance from any residential property, together with the intended use of the units within the grounds of an existing business park, it is considered that the proposal would not result in unacceptable harm to the living conditions of any local resident when trying to enjoy their property, in accordance with relevant Local Plan policies.

### **Other considerations**

- 6.23 The application site and its immediate surroundings are considered to have little ecological value and it is considered that no further ecology details are required prior to the determination of this application. Notwithstanding this, paragraph 180 of the NPPF states:

*When determining applications, LPA's should apply the following principles (inter alia):*  
*d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be*

*integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.*

- 6.24 With this considered, a suitable condition is recommended to request details of biodiversity enhancements on the site (to also demonstrate a net biodiversity gain). This shall include details of enhancements through integrated methods into the fabric and appearance of the building.
- 6.25 Under 17/506430, the Environmental Protection Officer raised no objections in terms of land contamination and air quality. The site remains undeveloped and there is no evidence to suggest that this stance would now change as a result of this application. As such, there continues to be no objection raised on these issues. The submission states that surface water drainage will be via soakaway and foul sewage disposal will be via septic tank. There is no objection raised to this and it is not considered necessary to require any further details in this respect.
- 6.26 The site is within a minerals safeguarding area, but the KCC Minerals Safeguarding Officer has confirmed that there are no minerals or waste safeguarding objections or further comments to make regarding this proposal. The KCC Archaeological Officer has made no representations on the application and so it is assumed they have no comments to make on this application.
- 6.27 In accordance with Local Plan policy and in the interests of sustainability, a suitable condition will be imposed requesting details of how decentralised and renewable or low-carbon sources of energy will be incorporated into the development. Furthermore, a suitable condition is recommended to ensure that the development achieves BREEAM Very Good for energy credits where technically and financially viable. External lighting will also be restricted in the interests of amenity.
- 6.28 The description of the development stipulates what use the proposed units would be put to. If the application were to be approved, an appropriate condition could be imposed to restrict certain uses permitted under Use Class E, for example retail and office use, as the traffic and amenity impacts of such use has not been assessed. Looking through the planning history, it appears that the existing uses at Corbin Business Park have no restrictions in terms of operation hours. With this considered and the fact that the proposed use, as set out in the legislation, should be able to be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit, imposing such a condition now is not considered reasonable.
- 6.29 All representations received, including from Thurnham Parish Council and local residents, have been considered in the assessment of this application. Please note here that each application must be considered on its own merits against current policy/guidance.
- 6.30 Due regard has been had to the Public Sector Equality Duty, as set out in Section 149 of the Equality Act 2010, and it is considered that the proposal would not undermine the objectives of this Duty. The proposed development is CIL liable. The Council adopted a Community Infrastructure Levy in October 2017 and began charging on all CIL liable applications approved on and from 1<sup>st</sup> October 2018. The actual amount of CIL can only be confirmed once all the relevant forms have been submitted and relevant details have been assessed and approved. Any relief claimed will be assessed at the time if planning permission is granted or shortly after.

## **7.0 CONCLUSION**

- 7.1 The previous planning application on the site (21/501302) was refused for one reason only, in that the application failed to demonstrate the proposal would not adversely harm longevity and amenity value of trees found close to southern and western boundaries of application site; and that the potential loss of these trees would have adverse impact on character and appearance of countryside hereabouts that falls within Len Valley Landscape of Local Value. Then subsequently there would be inadequate room to provide meaningful and appropriate landscaping within the site to mitigate against the potential loss of these trees and to provide onsite landscape screening of the proposal. It is considered that this current application has adequately addressed this matter.
- 7.2 For the reasons outlined above, the proposal is considered to be acceptable with regard to the relevant provisions of the Development Plan, the NPPF and all other material considerations such as are relevant. A recommendation of approval is therefore made on this basis.

## **8.0 RECOMMENDATION:** GRANT planning permission subject to following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Prior to commencement of the development above damp-proof course level, written details of the materials to be used in the construction of the external surfaces of the buildings hereby permitted shall be submitted to and approved in writing by the local planning authority. The development shall be constructed using the approved materials and maintained as such thereafter.

Reason: To safeguard the character and appearance of the countryside that falls within the Len Valley Landscape of Local Value.

3. Prior to the commencement of development above damp-proof course level, details of a scheme of hard and soft landscaping, using indigenous species which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with a programme for the approved scheme's implementation and longterm management, which shall be for a minimum of 10 years, shall be submitted to and approved in writing by the local planning authority. The landscape scheme shall be designed using the principle's established in the Council's adopted Landscape Character Assessment (2012) and shall include:

- a) Details of a planting schedule (including location, planting species and size)
- b) 5 new trees (at a minimum of Standard size), to include Field maple; Hazel; Wild cherry and Hawthorn), as shown on submitted drawings; and
- c) Details of hardsurfacing materials (to include block paving).

Only non-plastic guards shall be used for the new trees and hedgerows, and no Sycamore trees shall be planted. The implementation and longterm management plan shall include long term design objectives, management responsibilities and maintenance schedules for all landscape areas. The landscaping of the site and its management thereafter shall be carried out in accordance with the approved details.

Reason: To safeguard the character and appearance of the countryside that falls within the Len Valley Landscape of Local Value and biodiversity on the site in line with



the requirement to achieve a net biodiversity gain from all development; and to safeguard the longevity of existing and proposed trees.

4. The approved landscaping shall be in place at the end of the first planting and seeding season following completion of the building(s). Any trees or plants, which, within a period of 10 years from the completion of the development die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.

Reason: To safeguard the character and appearance of the countryside that falls within the Len Valley Landscape of Local Value; and to safeguard the longevity of existing and proposed trees.

5. The development hereby approved (including tree protection details) shall be carried out in accordance with the Arboricultural Implications Assessment (by Broad Oak Tree Consultants - Report ref: J60.57: June 2021).

Reason: In the interests of protecting the longevity of existing trees.

6. Prior to the commencement of the development above damp-proof course level, details of a scheme for the enhancement of biodiversity on the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall consist of the enhancement of biodiversity through at least one integrated method into the design and fabric of the building structure such as swift bricks, bat tubes or bee bricks, and additionally through provision within the site curtilage such as bird boxes, bat boxes, bug hotels, log piles, wildflower planting and hedgerow corridors. The development shall be implemented in accordance with the approved details prior to first use of the building and all features shall be maintained permanently thereafter.

Reason: To enhance ecology and biodiversity on the site in line with the requirement to achieve a net biodiversity gain from all development.

7. Prior to the first occupation of the development hereby approved, there shall be a minimum of one operational electric vehicle charging point within the application site for low-emission plug-in vehicles that shall be maintained as such thereafter. There shall also be a minimum of 1 electric vehicle charging point enabled for future use on the site for low emission plug-in vehicles.

Reason: To promote reduction of CO<sub>2</sub> emissions through use of low emissions vehicles.

8. Prior to the first occupation of the development hereby approved, details of secure and covered cycle parking facilities for a minimum of eight bicycles shall be submitted to and approved in writing by the local planning authority. The approved details shall be in place prior to the occupation of any residential unit and maintained as such thereafter.

Reason: In the interests of sustainable development.

9. Prior to commencement of the development above damp-proof course level, details of how decentralised and renewable or low-carbon sources of energy will be incorporated into the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The approved details shall be installed prior to first occupation of the relevant dwelling and maintained as such thereafter.

Reason: To ensure an energy efficient form of development.

10. No external lighting, whether temporary or permanent, shall be placed or erected within the application site unless details are submitted to and approved in writing by the local planning authority. Any details to be submitted shall be in accordance with the Institute of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Lighting, GN01, dated 2005 (and any subsequent revisions), and shall include a layout plan with beam orientation and a schedule of light equipment proposed (luminaire type; mounting height; aiming angles and luminaire profiles) and an ISO lux plan showing light spill. The development shall thereafter be carried out in accordance with the subsequently approved details and maintained as such thereafter.

Reason: In the interest of amenity.

11. The main building hereby permitted shall achieve a minimum BREEAM rating of at least 'very good' and within 12 months of the first use of the building, a final certificate shall be submitted to the local planning authority certifying that a BREEAM rating of at least Very Good has been achieved.

Reason: To ensure a sustainable and energy efficient form of development.

12. The vehicle parking spaces, as shown on the submitted plans, shall be provided prior to occupation of the development hereby approved and then permanently retained for parking thereafter.

Reason: In the interest of visual amenity and parking provision.

13. There shall be no open storage of plant, materials, products, goods for sale or hire or waste.

Reason: To safeguard the character and appearance of the countryside that falls within the Len Valley Landscape of Local Value.

14. The building(s) hereby approved shall only be used for purposes within Use Class E(g) (ii) and (iii) of Schedule 2 of the Town and Country Planning (Use Classes) Order 1987 (as amended), or permitted under the provisions of the Town and Country Planning General Permitted Development (Amendment) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification);

Reason: In order to properly assess the impact of other potential uses included within Use Class E of the Town and Country Planning (Use Classes) Order 1987 (as amended), to protect neighbouring amenity by ensuring that specific consideration is given to these uses which could result in a loss of amenity and in the interests of highway safety.

15. The development hereby permitted shall be carried out in accordance with the following approved plans/documents: Site location plan (1:1250); 1591-03-00 Rev A; 01 Rev D; 02 Rev D; and 04 Rev A.

Reason: For the avoidance of doubt and in the interests of proper planning.

### **INFORMATIVES**

1. The proposed development is CIL liable. The Council adopted a Community Infrastructure Levy on 25th October 2017 and began charging on all CIL liable applications approved on and from 1st October 2018. The actual amount of CIL can only be confirmed once all the relevant forms have been submitted and relevant details have been assessed and approved. Any relief claimed will be assessed at the time planning permission is granted or shortly after.

2. It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority. Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil.

Case Officer: Kathryn Altieri